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Convention on the Elimination of All Forms of Discrimination against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fifteenth session

SUMMARY RECORD OF THE 285th MEETING

Held at Headquarters, New York,
on Monday, 15 January 1996, at 10.30 a.m.

Chairperson: Ms. CORTI

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96-80048 (E)

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The meeting was called to order at 11 a.m.

OPENING OF THE SESSION

1. The CHAIRPERSON declared open the fifteenth session of the Committee on the Elimination of Discrimination against Women (CEDAW).

2. Mr. DESAI (Under Secretary-General for Policy Coordination and Sustainable Development) said that it was most appropriate that the fifteenth session of CEDAW was opening on Martin Luther King Day, since Martin Luther King Jr. had done so much to fight against discrimination. The struggle against colonialism, the fight against racial discrimination and the movement for gender equality would be seen as the foundations of a new and just social order at the local, national and global levels. The United Nations had played a crucial role in furthering all those great causes.

3. The Committee's current session was taking place against the backdrop of the highly successful Fourth World Conference on Women, in which CEDAW members had participated actively. The Committee's views on the follow-up to the Conference would be extremely valuable, as the international community worked to put in place the means for ensuring that the spirit of Beijing was translated into sustainable action. The Platform for Action had reaffirmed the fundamental principle that the human rights of women and of the girl child were an inalienable, integral and indivisible part of universal human rights. The Platform sought to promote and protect the full enjoyment of all human rights and fundamental freedoms by women throughout their lives.

4. The Committee had a key role to play in linking the implementation of the Convention on the Elimination of All Forms of Discrimination against Women to the overall follow-up to the Conference, particularly in relation to women's human rights. The Beijing Platform for Action made several recommendations for the Committee's work. It urged the eradication of all forms of discrimination against women and set the goal of universal ratification of the Convention by the year 2000. The Conference had urged all Governments to limit the extent of their reservations to the Convention and had called on States parties to withdraw reservations that were contrary to the object and purpose of the Convention or otherwise incompatible with international treaty law. It had recommended the inclusion of gender aspects in reporting under all other human rights instruments, to ensure the analysis and review of women's human rights. The Conference had also stressed that the Committee should take the Platform for Action into account when considering reports submitted by States parties.

5. The Platform for Action provided an opportunity for the Committee to review its role in monitoring the extent to which individual States were fulfilling the commitments made at Beijing. In so doing, it could address individual States directly, while through its general recommendations it could open up a new understanding of the practical meaning of the universal norms to which women around the world looked in their struggle for equality.

6. The members of the Committee were fully aware of the importance of their task in supervising the implementation of the Convention. Legal and cultural

differences and differences in the measures used to implement the Convention made that undertaking extremely difficult. The Committee's important work had not always received the attention it deserved, but he and his Department would work with the Committee to publicize its work and the Convention. Closer links would also be forged with other parts of the United Nations system and with non-governmental organizations. The Secretary-General was strongly committed to coordinating policy within the United Nations with a view to implementing the Platform for Action and mainstreaming a gender perspective in all activities of the United Nations system. In response to the Beijing recommendation that he should appoint a senior official to advise him on gender issues, the Secretary-General had appointed Ms. Rosario Green, who would help him to ensure that a gender perspective was integrated into policies and programmes in all areas and was taken fully into account in furthering the Organization's links with civil society.

7. It was gratifying to observe the steady increase in the number of States parties to the Convention. With the accession of Liechtenstein in December 1995, the number of States parties had reached 150. However, progress in ratifying the Convention would mean more work for the Committee.

8. The Committee would consider eight reports at its fifteenth session, plus a report from Rwanda that was to be considered on an exceptional basis.

9. The Committee would also have to consider the proposed amendment to article 20, paragraph 1, of the Convention, according to which the duration of meetings of the Committee would be determined by a meeting of the States parties, subject to the approval of the General Assembly. The amendment would enter into force upon its ratification by two thirds of the States parties. The States parties were to meet on 29 February 1996 and the Committee would have to make recommendations to that meeting. In the meantime, the Committee's request for an additional session in 1996 had not been acted upon by the General Assembly.

10. For many years, the Committee had expressed concern about the level of resources available to the Division for the Advancement of Women to service the Committee. The General Assembly had recently authorized an additional three Professional posts for the Division, one of which was specifically designed to enable the Division to undertake its mandated work on women's human rights, which included servicing the Committee. Those posts, together with other existing human resources, should provide the Committee with the support necessary to ensure its effective functioning.

11. The United Nations was currently suffering its greatest financial crisis ever, the consequences of which for the Committee's work included a ban on overtime for meetings and a reduced capacity for the processing of documentation, especially in-session documentation.

12. If the Committee was to perform its functions effectively, it must have adequate meeting time to be able to consider thoroughly the reports submitted by States parties. That need would become greater as the number of States parties increased and as overdue reports were submitted. Fortunately, there had been

significant progress in addressing that issue. The Secretariat had proposed that the Committee should consider adopting the practice followed by all other human rights treaty bodies of confining itself to the adoption of a concise report emphasizing its concluding comments on State parties' reports and of relying on the summary records for a fuller account of its constructive dialogue with the representatives of States parties. He recommended that the Committee should adopt that approach from the outset of its current session.

13. In response to the request that Governments, intergovernmental organizations and non-governmental organizations should be invited to submit their views on an optional protocol to the Convention, the Secretary-General had sent a note verbale to all Governments, and replies were currently being received. The Commission on the Status of Women would begin work on the protocol at its session in March 1996.

14. The elimination of discrimination against women was clearly linked to women's advancement and equality within society, and the Committee's work had contributed substantially to recommendations for action in that field. His Department was committed to ensuring that the Committee functioned effectively and received recognition and support, since it was a crucial part of the follow-up to the Beijing Conference and of the institutional framework for mainstreaming gender issues within the United Nations system.

15. The Convention called for action and demanded specific measures from States parties. Its articles provided the basis for a better society, characterized by greater equality between women and men. Its strength lay in the fact that it was as much a statement of global socio-economic policy as it was a legal instrument.

16. The CHAIRPERSON said that it was gratifying that the Department of Policy Coordination and Sustainable Development intended to give greater priority to the Committee's needs, since the Committee had encountered tremendous difficulties and its members had devoted considerable efforts to overcoming those difficulties. She welcomed the appointment of Ms. Rosario Green as special adviser to the Secretary-General on gender issues and looked forward to fruitful cooperation between Ms. Green and the members of the Committee.

17. Ms. GREEN (Assistant Secretary-General and Special Adviser to the Secretary-General) said that she looked forward to working with the Committee, in the context of the follow-up to the Beijing Conference.

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK (CEDAW/C/1996/1)

18. The agenda was adopted.

REPORT OF THE CHAIRPERSON ON THE ACTIVITIES UNDERTAKEN BETWEEN THE FOURTEENTH AND THE FIFTEENTH SESSIONS OF THE COMMITTEE AND CONSIDERATION OF THE REPORT OF THE SIXTH MEETING OF PERSONS CHAIRING THE HUMAN RIGHTS TREATY BODIES AND ACTION TAKEN BY THE GENERAL ASSEMBLY CONCERNING TREATY BODIES (A/50/505)

19. The CHAIRPERSON said that 1995 had been a particularly important year in the history of the Committee. The number of ratifications of the Convention had increased from 136 to 150. In April 1995, the Committee had held a one-week meeting in Madrid, hosted by the Spanish Government. That was the first time that the Committee had held an extraordinary meeting supported financially by a Government. At a time of austerity in the United Nations, the entire Committee had been able to be present at the Fourth World Conference on Women; nearly half the Committee members had also participated in the opening of the forum organized by non-governmental organizations at Huairou, with the financial support of the United Nations Development Fund for Women (UNIFEM) and the International Women's Rights Action Watch (IWRAW).

20. She had participated in eight international meetings and conferences in 1995; the total had been smaller than in 1994 because other members of the Committee had replaced her at four other meetings and conferences. She had also attended various meetings and conferences in Italy related to the Fourth World Conference.

21. Turning to the report of the sixth meeting of persons chairing the human rights treaty bodies (A/50/505), she noted that paragraph 20 highlighted the importance of the human rights treaty bodies for the implementation of the Plan of Action for the United Nations Decade for Human Rights Education and also recommended that each treaty body, in its examination of State party reports, investigate compliance by States parties with the obligations regarding education and public information on human rights. That aspect must be included in the Committee's concluding comments.

22. Referring to paragraph 22 of the report, she said that she had raised the issue of the role of treaty bodies in preparations for the Fourth World Conference on Women, in the hope of avoiding in future the sense of frustration felt by the Committee at not having had an opportunity to take part in the formulation of the Platform for Action, propose amendments or contribute its expertise. The Secretariat must explore possibilities for the Committee's active participation in the ongoing preparations for the forthcoming United Nations Conference on Human Settlements (Habitat II).

23. The recommendation made in paragraph 25 was of the utmost importance. It was particularly important that the Committee should be represented at sessions of the Commission on Human Rights. On the question of cooperation with special rapporteurs, she hoped that the Committee would explore ways and means of establishing close cooperation with at least the Special Rapporteur on violence against women.

24. Paragraph 27 referred to the need for concrete proposals for increased participation by United Nations specialized agencies in the work of the human

rights treaty bodies. The Committee must prepare proposals to that end during the current session.

25. In paragraph 28, the chairpersons reiterated their recommendation that the General Assembly should provide each treaty body with a budget to finance essential missions and other matters associated with their mandates. Paragraph 29 underlined the persistent problem of under-staffing of treaty body secretariats, lack of technical expertise and inadequate administrative support. She had been assured that secretariat services for the current session would be improved. The information provided by Mr. Desai was also encouraging.

26. Paragraph 31 was concerned with the relocation of the Committee to the Centre for Human Rights at Geneva. The High Commissioner for Human Rights had made a personal request for the Committee to be relocated to Geneva; she hoped that during the current session the High Commissioner would inform the Committee about the situation. It was significant that the meeting of chairpersons had expressed support for the proposed amendment to article 20 of the Convention. If the Committee continued to hold only 1 two-week session a year, it would be unable to produce quality recommendations and concluding comments and would have an ever-growing backlog of national reports.

27. The recommendation that the treaty bodies should fully integrate gender perspectives into their professional and sessional working methods was a big step forward in the implementation of the Vienna Declaration and Programme of Action and the Beijing Declaration and Platform for Action.

28. Since she had learnt that the Centre for Human Rights organized press conferences for the chairpersons of all the treaty bodies at the end of their regular sessions, she wished to request that a press conference be organized for the Committee at the end of its current session. Such requests had been denied in the past.

29. In the past year, the Centre for Human Rights had kept her abreast of all actions and matters pertaining to the human rights treaty bodies. Furthermore, all the treaty bodies had kept her informed of the conclusions of their meetings.

30. Although the Committee had not yet established relations with all the specialized agencies, it had achieved concrete results with those with which it had undertaken cooperation. With regard to the United Nations Educational, Scientific and Cultural Organization (UNESCO), some 13,000 copies of the joint CEDAW/UNESCO Manifesto towards a Gender-inclusive Culture through Education had been distributed in Beijing in all the official languages and in Portuguese. She was in contact with the UNESCO Assistant Director-General for Education and had indicated that the Committee would make specific proposals at its current session for further cooperation with UNESCO.

31. The new Executive Director of the United Nations Children's Fund (UNICEF) had accepted her request to include Committee members in all UNICEF events in Beijing. In her capacity as Chairperson, she had been invited to participate in a one-day UNICEF event, "The day of girls". UNICEF was lobbying actively for

universal ratification of the Convention. It had promised to invite Committee members to attend various events in their countries of origin.

32. Cooperation with UNIFEM had brought positive results in 1995. UNIFEM, together with the Centre for Human Rights, had organized an expert group meeting on the development of guidelines for the integration of gender perspectives into United Nations human rights activities and programmes and had sponsored the participation of one expert from the Committee. During the Fourth World Conference on Women, UNIFEM had provided a five-day per diem for the participation of five Committee experts who were members of the CEDAW/UNIFEM Task Force. UNIFEM had helped the Committee to set up a successful workshop on its work, and had helped financially with the IWRAW seminar. She had put forward some proposals for possible future cooperation with UNIFEM, for consideration at the Committee's current session. Her suggestions were that UNIFEM should provide supplementary information on violations of women's human rights in the countries under consideration; that it should circulate the Committee's general recommendations and concluding comments and lobby for the adoption of the proposed optional protocol to the Convention; and that it should organize seminars on the human rights of women, with the participation of experts from the Committee. All those initiatives would have to be coordinated by the Committee secretariat and the Chairperson. Committee members could also help to set up national committees in their own countries to ensure the follow-up of the Platform for Action, and support continued and expanded funding for UNIFEM.

33. During the Committee's fourteenth session, she had been in constant contact with the World Health Organization (WHO). However, no WHO representative had attended the Committee's extraordinary meeting in Madrid. The Committee must prepare a proposal for cooperation with WHO.

34. In its report to the Fourth World Conference on Women (A/CONF.177/7), the Committee had highlighted the importance of non-governmental organizations (NGOs). At the NGO forum and at the Conference itself, some 22 workshops on the Committee's work had been organized by NGOs. Some NGOs had translated the Convention into their national languages. Thanks to the efforts of non-governmental organizations, there was now a movement in the United States to exert pressure for ratification of the Convention by the United States Government.

35. In her previous report, she had complained about the lack of commitment of Amnesty International to defending women's human rights. In 1995, Amnesty International had been very active in preparing for the Fourth World Conference on Women and had lobbied for the Committee at the Conference. She hoped that at the current session the Committee would be able to establish a permanent link with Amnesty International.

36. The sixth meeting of persons chairing the human rights treaty bodies had reiterated the central role played by NGOs. In 1995, she had suggested ways and means of strengthening links with NGOs so that they could assist in lobbying for ratification and implementation of the Convention and provide "shadow" reports

on a regular basis. The Committee should also adopt the practice of organizing exchanges of views with NGOs.

37. The Committee must give serious consideration to the duties of the Chairperson. In June 1995, she had travelled to New York for a meeting with the Secretary-General and had stayed in New York for four days at her own expense. She had also taken care of a great deal of the Committee's correspondence. However, she had been unable to attend the fiftieth session of the General Assembly because funds had not been made available for her to do so. She hoped that, as indicated in paragraph 49 of the report on the implementation of the outcome of the Fourth World Conference on Women (A/50/744), the Secretary-General would make every effort to provide coordinated secretariat support to the Committee.

38. The Committee had presented to the Fourth World Conference on Women a comprehensive report (A/CONF.177/7) containing a serious analysis of its work, the obstacles to implementation of the Convention and the challenges that would have to be faced in the future. At Beijing, it had succeeded in obtaining 11 new ratifications, and she had also been assured that ratification of the Convention was being considered by the United States Senate Foreign Relations Committee and remained a top human rights priority for the United States Government. The Committee had held a press conference and two workshops with high-level participation and had been included in almost all the specialized agency workshops on women's human rights.

39. The Committee's role and importance had been reflected fully in the Beijing Declaration and Platform for Action. Paragraph 8 of the Declaration placed the Convention on the same level as the Charter of the United Nations and the Universal Declaration of Human Rights, as far as the equal rights and inherent human dignity of women were concerned. In paragraphs 322 and 323 of the Platform for Action, the Committee was regarded as an essential mechanism for monitoring the implementation of the Platform for Action. The Committee must consider the implications for its work of the outcome of the Fourth World Conference on Women; it was to be hoped that the Committee would receive increased human and financial resources, as called for in paragraph 324, and that it would be granted sufficient meeting time, in accordance with General Assembly resolution 49/164 and the decision taken by the meeting of States parties to the Convention in May 1995. Improvement of the Committee's work had been the focus of the seminar organized for it by IWRAW over the past weekend.

40. The Platform for Action contained a chapter on the girl child, and the Vienna Declaration and Programme of Action stated that the human rights of women and the girl child were an inalienable part of universal human rights and should form an integral part of United Nations human rights activities, and that the eradication of all forms of discrimination on the grounds of sex was a priority objective of the international community. Since gender-based inequality, discrimination, exploitation and violence concerned the girl child as well as women, it was important to recognize the complementarity of the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. She called for an in-depth exchange of views with members of the Committee on the Rights of the Child in order to find ways of redressing the situation of inferiority which persisted throughout a woman's

life and which favoured violence, sexual abuse within and outside the family, and problems associated with childhood pregnancy, early marriage and preference for sons. Since there was no age limit to gender-based discrimination, the work of the two Committees was complementary. The many documents adopted against discrimination would not make it disappear, and it was important to discuss the obstacles and reservations to both Conventions and ways of reinforcing the two Committees' common commitment to eradicating discrimination against women throughout their life cycle.

41. The Platform for Action had asserted the universal nature of women's human rights and had reaffirmed the commitment to promoting and protecting those rights, including the right to be free from violence, the right to sexual and reproductive health free from discrimination and coercion and to access to information on sexual and reproductive health care, and equal inheritance rights for women and girls, and the obligation of Governments to prosecute and punish as war crimes the perpetration of rape and sexual violence against women and girls in situations of armed conflict.

42. The Platform also underlined the need for women's participation in decision-making bodies by stressing the need for universal ratification of the Convention on the Elimination of All Forms of Discrimination against Women, by calling for restraint in the entering of reservations to the Convention, and by examining the need for an optional protocol to strengthen the Convention's implementation. In so doing, the Platform had recognized the central role of the Convention as a document that was legally binding on Governments, thereby strengthening the role of the Committee itself.

43. The agenda for the Committee's fifteenth session included the adoption of the draft report of the extraordinary session held in Madrid; the preparation of a statement for the forthcoming meeting of States parties on the amendment of article 20 of the Convention; a review of the rules of procedure; the adoption of concluding comments on the reports examined; the adoption of general recommendations on articles 7 and 8; the preparation of proposals for cooperation with United Nations specialized agencies for discussion at the next meeting of persons chairing the human rights treaty bodies; the preparation of a list of requests for participation by the Chairperson or her alternate in meetings to be held during 1996; the collection, through the Secretariat, of information on the Habitat II Conference and the preparation of a suggestion in that connection; and the preparation of a set of requests for the possible meeting of chairpersons with the Secretary-General.

44. She reminded the Committee that all other treaty bodies limited the question time allocated to their experts and suggested that the Committee should follow suit. The Committee would continue its practice of hearing a 10-minute oral presentation by a designated expert on each report, prior to the presentation made by the State party's representative. The Committee would also review the most recent resolution of the Commission on the Status of Women on an optional protocol to the Convention and explore the possibility of participation in the Commission's working groups by at least one Committee expert. She suggested that, in discussing the outcome of the Beijing Conference, the Committee should look into the possibility of CEDAW representation on the

proposed high-level board on the advancement of women to advise the Secretary-General on the follow-up to the Conference, which was discussed in paragraph 61 of the Secretary-General's report (A/50/744).

45. Ms. SCHÖPP-SCHILLING suggested that the Division for the Advancement of Women should be asked to explain why, in the past, the Chairperson of CEDAW had not been permitted to hold a press conference at the end of the Committee's sessions. It was her understanding that, at least since the Vienna Conference, CEDAW had been put on the same level as the other human rights treaty bodies. She wondered whether the problem was an administrative one or whether CEDAW was still being discriminated against as a human rights treaty body.

46. She drew attention to the importance of the World Bank as one of the United Nations organs with which CEDAW should cooperate. In his statement on the last day of the Beijing Conference, the new President of the World Bank had expressed his willingness to redirect the Bank's attention towards smaller projects and gender mainstreaming. It was important, particularly in view of the ongoing structural adjustment process, that the Committee should receive more information from the World Bank and address to it directly concerns deriving from the reports of States parties.

47. In her seven years as a member of the Committee, she had repeatedly requested the Division for the Advancement of Women to provide her with the reports and concluding comments of other human rights treaty bodies. That information had never been forthcoming. Moreover, in her capacity as liaison to the Human Rights Committee for the past two years, she had received only half-page summaries from the Chairman of that Committee. She urged the Division for the Advancement of Women to ensure that CEDAW members received the concluding comments and general recommendations formulated by other human rights treaty bodies, so that the Committee could assist those bodies, which sometimes failed to take into consideration the most recent feminist scholarship, in gender-mainstreaming their work.

48. Ms. ABAKA expressed concern that the Chairperson had had to spend four days in New York on CEDAW business at her own expense. The matter was an important one, because a Chairperson from a developing country would not have been able to finance such a visit. She hoped that the Secretariat would address the matter during the current session.

49. Ms. GARCIA-PRINCE called for a closer link to be established between the Committee's activities, particularly at its current session, and those of the Centre for Human Rights, particularly in view of the fact that the Secretariat was considering a future transfer of the Committee to Geneva. If the coming years were to be a period of transition from New York to Geneva, that transition must be effected not only through the provision of documentation but also through closer contact with the Centre, including at the budgetary level. She felt that the Centre's focal point for women should attend CEDAW sessions in New York.

50. The collection of documents prepared by the Division for the Advancement of Women did not include the texts on articles 2 and 5 which she had provided several years previously. She wondered what had become of those texts.

51. Ms. BUSTELO GARCÍA DEL REAL supported the suggestion for coordination with the World Bank, since the Bank's structural adjustment programmes had a direct impact on the status of women. She asked whether the Secretariat could provide members of the Committee with the reports of the Special Rapporteur of the Commission on Human Rights on violence against women. The Committee had requested those reports at its fourteenth session, but she did not recall that the Secretariat had provided them. She supported the Chairperson's suggestion to restrict the time allotted to questions and to limit comments in the general discussion, and suggested that each member of the Committee should concentrate on certain articles of the Convention and on certain countries. She shared the concern expressed at the failure to provide members of the Committee with the concluding comments of other treaty bodies and hoped that those responsible for that situation would attempt to remedy it.

52. Ms. CARTWRIGHT agreed that there was a need to ensure that the Chairperson did not suffer financially from carrying out her duties. It would be unforgivable if a future Chairperson from a developing country was placed in that situation.

53. With regard to the remarks made by Ms. Bustelo García del Real, she noted that, the previous weekend, a number of members had attended a meeting, sponsored by the International Women's Rights Action Watch (IWRAW), on ways in which the Committee might better cope with its workload. A report on the meeting would be ready in the near future; she felt that it should be discussed under agenda item 6, so that the Committee might benefit from its findings during the current session.

54. Ms. OUEDRAOGO said that it was important to develop effective partnerships with other United Nations specialized agencies, including not only the World Bank but also other potential partners, such as the Food and Agriculture Organization of the United Nations (FAO), which worked to improve the living conditions of rural women. She also felt that while the Beijing Conference had affirmed the principles of the Convention on the Elimination of All Forms of Discrimination against Women, it had not sufficiently stressed the importance of a close linkage between the Convention and the Platform for Action.

55. Ms. SINEGIORGIS said that while Ms. Corti's tenure as Chairperson had given the Committee an exposure which it had not previously received, future chairpersons might not be able to make the same personal and, especially, financial sacrifices. She was disappointed that the Chairperson had been unable to attend the meetings of the Third Committee at the fiftieth session of the General Assembly and felt that, had the Committee tried harder, funding might have been obtained for that purpose. She agreed that the Chairperson should be able to hold press conferences since CEDAW was more in need of publicity than the other human rights bodies. She also felt that, in the present information age, the Secretariat should have no difficulty in providing members of the Committee with the concluding comments of other treaty bodies.

56. Ms. TIMOTHY (Representative of the Secretary-General) said that a Committee press conference had been scheduled for early February 1996. The Secretariat regretted that it had been unable to provide resources for the Chairperson to

attend the fiftieth session of the General Assembly, but all travel entitlements had been frozen during the General Assembly's session.

The meeting rose at 1.10 p.m.

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fifteenth session

SUMMARY RECORD OF THE 286th MEETING

Held at Headquarters, New York,
on Monday, 15 January 1996, at 3 p.m.

Chairperson: Ms. CORTI

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IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

RESULTS OF THE FOURTH WORLD CONFERENCE ON WOMEN

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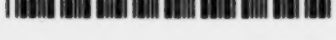

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The meeting was called to order at 3.25 p.m.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW/C/1996/3 and Add.1-4)

1. Ms. TIMOTHY (Deputy Director, Division for the Advancement of Women) said that, under that item, the Committee would consider the reports of the World Health Organization (WHO), the International Labour Organization (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Food and Agriculture Organization of the United Nations (FAO) (CEDAW/C/1996/3/Add.1-4), submitted in accordance with article 22 of the Convention. The Committee would also consider specific articles of the Convention with a view to formulating recommendations thereon, as had been agreed at the Committee's tenth session. The Committee had before it the report of the Secretariat on the analysis of articles 7 and 8 of the Convention (CEDAW/C/1994/4), consideration of which had been postponed from the fourteenth session. In it, the Secretariat had supplied further information on the participation of women in elections, parliaments, Governments and other legislative and executive bodies as well as in policy formulation at the national and international levels. The report also contained information on women in the military.

2. In its conclusions, the Secretariat was proposing that concrete measures, such as affirmative action and quota systems, and indirect measures, such as measures to eliminate sex- and job-related stereotypes, could be taken to redress both de jure and de facto discrimination. The periodic reports to the Committee should focus more on measures taken and concrete results achieved in that area.

3. With respect to article 2 of the Convention, she drew attention to document CEDAW/C/1995/4, which contained information on country experience and the Committee's own suggestions to States parties in that regard. In preparing its general recommendation on article 2, the Committee might wish to provide guidance to States parties on what it considered to be the obligations of States parties under article 2.

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (CEDAW/C/1996/6)

4. Ms. TIMOTHY (Deputy Director, Division for the Advancement of Women), drew attention to the report on ways and means of expediting the work of the Committee (CEDAW/C/1996/6), particularly section II concerning the review of the rules of procedure, and section III concerning the review of the need for summary records and the format of the annual report of the Committee. The Secretariat strongly urged the Committee to retain summary records and had recommended that extensive summaries of the discussions of States parties' reports should no longer be included in the Committee's report. The concluding comments should be expanded instead to provide the salient points of the discussion. That would reduce the overall length of the report and the cost of

translation. It would also enable the Secretariat to service the Committee in a more efficient manner.

5. Ms. SCHÖPP-SCHILLING (Rapporteur) supported the Secretariat's recommendations, and noted that the Secretariat would continue to prepare summaries of Governments' introductions of their reports for inclusion in the Committee's final report. As in previous years, the concluding comments on each report would include a short introduction describing the quality of the report as a whole, a section on the positive aspects of the report and a section on areas of concern. The Secretariat could prepare a first draft of suggestions and recommendations for future reports based on the experts' comments.

6. The Secretariat should draft its concluding comments as soon as the Committee completed its consideration of the report in question and pass them on to the two experts and the Rapporteur, who should work together as a team if at all possible.

7. The Committee's concluding comments, reports of working groups and summaries of Governments' introductions of their reports would be included in the Committee's final report, which would be shorter than in previous years. Concluding comments would be sent to Governments as soon as they were adopted. That procedure was being followed by the other treaty bodies.

8. The CHAIRPERSON said that she would take it that the Committee wished to adopt the new procedure for preparing the Committee's report.

9. It was so decided.

RESULTS OF THE FOURTH WORLD CONFERENCE ON WOMEN

10. The CHAIRPERSON said that the Beijing Conference had underlined a new way of looking at the status of women from the women's human rights perspective. The Committee, as the treaty body with responsibility for monitoring the human rights of women, must determine its role vis-à-vis the Beijing Platform for Action. The Commission on the Status of Women had an important role to play in seeing that Governments which had made commitments at Beijing actually fulfilled them, but since it was an intergovernmental body, naturally, it must defend government policies. The Committee stood out as the only independent voice to push for the fulfilment of such commitments.

11. Ms. ABAKA agreed that it would be difficult for Governments, which had responsibility for implementing the Platform for Action, to monitor it as well. The Committee's independence gave it an important voice in the area of women's human rights. It should amend its reporting guidelines to ask States parties to provide information on how they were implementing the Beijing Platform for Action.

12. Ms. BUSTELO GARCIA DEL REAL said that paragraphs 322 and 323 of the Beijing Platform for Action made it clear that the Committee had been entrusted with monitoring its implementation. The Platform for Action was actually a tool for advancing the interpretation and implementation of the Convention.

13. Ms. AYKOR said that, as independent experts serving in their personal capacities, Committee members as individuals could not follow up with Governments. They could, however, gather information on implementation through questions to States parties during the presentation of their reports. Information on fulfilment of government commitments could be included in the concluding remarks on each report.

14. Ms. SHALEV said that the Committee should be careful not to exceed its legal authority under the Convention. The Platform for Action included many points that could not be legally required. She would welcome an analysis of the Platform for Action, distinguishing those points which represented legal obligations from those which were political commitments.

15. Concerning reporting obligations, in view of the backlog of reports, she wondered when the Committee would begin asking States parties to include information on the implementation of the Beijing Platform in their reports and whether those which had already submitted a report would be expected to provide such information in a supplement.

16. Ms. SCHÖPP-SCHILLING said that the Committee secretariat could organize the paragraphs of the Platform for Action according to the articles of the Convention. In her view, the Platform for Action was an elaboration of the Convention; in many cases, it simply restated questions the Committee often asked of States parties.

17. She proposed that the Committee should begin requesting information about implementation of the Platform for Action in reports of States parties drafted after September 1996.

18. Ms. MÄKINEN said that an analysis of the Platform for Action would be a perfect tool for the Committee's work.

19. Ms. BERNARD said that she, too, felt that the Committee should proceed with caution. The Platform for Action was a very broad document, and it was not clear to her that the Committee had the legal right to ask countries to report on its implementation.

20. Ms. AOUIJ said that, in her view, the Committee did have such a legal mandate, based on the Platform for Action, the Vienna Declaration on Human Rights and the Convention itself. It would be helpful if the Secretariat could provide members with a summary of the final declarations made at Beijing by States parties and a list of their reservations and interpretive declarations. Enhanced coordination with other bodies responsible for follow-up to the recent series of international meetings and contacts with specialized agencies would also be extremely useful.

21. Ms. SINEGIORGIS said that the Committee's mandate for monitoring the implementation of the Platform for Action derived from paragraphs 322 and 323 of the Platform for Action. Moreover, it appeared that the Conference had taken it for granted that the Committee would monitor the implementation, since paragraph 324 requested that the Committee's ability to do so should be strengthened. She supported the proposal to amend the reporting guidelines;

those States whose report had been submitted before the Beijing Conference could be asked to provide a supplement.

22. Ms. GARCIA-PRINCE said that it was the Committee's task to monitor the situation of women in the world. If it was necessary to change the legal basis of CEDAW in order to carry out that role, that should be done. Inter-agency coordination with regard to questions relating to women was not effective. The Division for the Advancement of Women had rather limited functions and the Commission on the Status of Women was a political body. CEDAW was the only body within the United Nations system that could request information from States on steps taken to promote the advancement of women. She proposed that the Chairperson should contact Ms. Rosario Green, the Assistant Secretary-General designated to assist the Secretary-General in the system-wide follow-up to the Fourth World Conference on Women in order to inform her about the Committee's concerns in that regard. In that way, it would be possible to avoid duplication and ensure effective coordination of activities.

23. The Division for the Advancement of Women should take steps to ensure that the provisions of paragraph 231 (g) of the Platform for Action were implemented and that new links between the Commission on the Status of Women, CEDAW and other bodies were established in accordance with the Platform. The Division should draw up a list of the actions laid down in the Platform which could be considered by the Committee. The Platform should be a point of reference for CEDAW in drawing up guidelines for monitoring the implementation of the Convention. Lastly, a small working group could be set up to determine the linkages between the Committee, the Commission on the Status of Women and the Assistant Secretary-General.

24. The CHAIRPERSON said that the proposal to contact the Assistant Secretary-General was an excellent one and that that would be done at the appropriate time.

25. Ms. OUEDRAOGO said that there was no dichotomy between the Convention and the Platform for Action since both documents dealt with such major fields as education, health and employment. The difference lay in the fact that the Convention was a political and moral document, while the Platform for Action was strategic in nature. CEDAW was mandated to monitor the implementation of the Platform through the consideration of the reports submitted by States parties.

26. Ms. SCHÖPP-SCHILLING said that paragraph 323 of the Platform for Action clearly mandated the Committee to monitor the implementation of the Platform by States parties. A distinction would naturally have to be made between reports that were drawn up before the Beijing Conference and those drawn up afterwards. In discussing reports submitted prior to the Conference, the Committee could still ask Governments to include in their oral statements information on steps taken to implement the Platform and on any reservations expressed. In considering reports written after the Conference, the Committee could be more insistent in requesting specific information on fulfilment of the commitments undertaken by States parties at the Conference.

27. While the Platform could be considered a yardstick to be used in monitoring the follow-up to the Conference, there were many other much more progressive

ideas on which consensus had not been reached. It was therefore necessary to look beyond the Platform and strive to reach consensus on those other issues. It would be useful to have input from the Division for the Advancement of Women, non-governmental organizations and the legal experts that assisted the Committee on how the Platform related to the Convention from a legal point of view. Lastly, the Division could organize the text of the Platform for Action in such a way as to facilitate its use by the experts on the Committee.

28. Ms. DE CORREA said that the Committee was the only body that was specifically mandated to monitor implementation of the Platform for Action. Accordingly, it should lay down guidelines on information to be provided by States parties on measures taken in that regard.

29. Ms. BERNARD said that in accordance with paragraph 323 of the Platform for Action, the Committee could act within its mandate in considering critical areas of concern and ask States parties to report on measures taken in that connection.

30. Ms. SINEGIORGIS requested further information on what the Secretary-General expected from the Committee in monitoring the follow-up to the Beijing Conference.

31. Ms. TIMOTHY (Deputy Director, Division for the Advancement of Women) said that it should be clearly understood that the Commission on the Status of Women was the primary body engaged in the task of monitoring the implementation of the Platform for Action by all Member States and the international community in general. At its March session, the Commission would consider the preparation of a work programme for the follow-up to the Beijing Conference and ways to monitor implementation of the Platform. While the Committee could also monitor the implementation of the Platform within its mandate, its role was more limited since not all Member States were parties to the Convention. The Secretary-General felt that it would be useful for the Committee to discuss how it viewed that task in terms of its mandate. A number of interesting suggestions had been made in that regard. Careful note had been taken of the suggestion to draw up a guide linking the Platform to the Convention.

32. Whereas the Commission considered reports summarizing responses by Governments and international organizations, the Committee had the opportunity to question States parties directly on their implementation of the Platform and make recommendations in that regard. The Platform for Action in many respects reflected the work of the Committee and the Convention itself. Lastly, she noted with interest the comments made concerning the Committee's workload and its desire to continue to meet its commitments as a treaty body and at the same time monitor implementation of the Platform by States parties.

33. Ms. SHALEV said that the Platform for Action clearly indicated that the Commission on the Status of Women had a central role in monitoring the implementation of the Platform and that the Committee monitored the implementation of the Convention, not the overall implementation of the Platform. The Committee would receive information from States parties on the implementation of the Platform to facilitate its monitoring of their implementation of the Convention. The Committee's identity as a human rights

treaty body must be maintained. It was essential therefore to have an analysis of the Platform for Action indicating to what extent it was linked to the Convention and to what extent commitments undertaken under the Platform related to the implementation of the Convention.

34. Ms. SINEGIORGIS proposed that the Secretary should provide the Committee with a summary of all the various suggestions put forward at that meeting before a decision was taken on the matter.

35. The CHAIRPERSON said that the proposal by Ms. Sinegiorgis was a good one and that such a summary would be provided before a decision was taken. The suggestion to draw up an analysis of the links between the Platform for Action and the Convention was most important in view of the length of the Platform. When she had referred earlier to the monitoring role of the Committee she had done so within the context of the mandate of CEDAW. The Convention was a legal document which promoted deep social, economic and cultural change. There was no intention to infringe on the mandates of other bodies. Nevertheless, CEDAW should stress its own importance and specific role in terms of the Platform.

The meeting rose at 6 p.m.